

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LAWRENCE W. HAMMARE,

Plaintiff,

V.

Civil Action No. 05-30155 MAP

THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA, and  
T-MOBILE USA, INC.,

Defendants.

**LOCAL RULE 16.1 CERTIFICATION OF DEFENDANT**  
**THE PRUDENTIAL INSURANCE COMPANY OF AMERICA**

Pursuant to L.R. 16.1(D)(3), the undersigned certify that they have conferred to discuss:

- (1) the budget for the costs of conducting the full course -- and various alternative courses--of the litigation; and
- (2) the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in L.R. 16.4.

THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA,  
By its Attorneys,

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THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA,  
By its Authorized Representative,

~~Len Giusti, Esquire~~  
Director, Litigation  
The Prudential Insurance Company  
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(973) 548-6569

Dated: September 8, 2005

CERTIFICATE OF SERVICE

I certify that on this 8th day of September, 2005 I served a copy of the above document on counsel of record, as set forth below, by first class mail, postage prepaid.

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/s/ Edward P. O'Leary  
Edward P. O'Leary